

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
JOHN WALDEN,

Petitioner,

-against-

WALCOTT, *Superintendent*,

Respondent.
----- X

MEMORANDUM DECISION AND
ORDER

19 Civ. 11409 (GBD) (SN)


GEORGE B. DANIELS, District Judge:

On December 12, 2019, *pro se* Petitioner John Walden petitioned for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 to set aside his December 1, 2017 New York state judgment of conviction.¹ (Pet. Writ Habeas Corpus, ECF No. 2.) On March 29, 2022, this Court granted Respondent’s motion to dismiss and dismissed the habeas corpus petition in its entirety. (Mem. Decision and Order, ECF No. 67, at 5.)

This Court declines to issue a Certificate of Appealability because Petitioner has “not made a substantial showing of the denial of a constitutional right,” 28 U.S.C. § 2253(c)(2), and because Petitioner has failed to identify a claim that jurists of reason would find debatable as to whether Petitioner was denied such a right. *See Slack v. McDaniel*, 529 U.S. 473, 478 (2000). This Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this judgment on the merits would not be taken in good faith. *See Coppedge v. United States*, 369 U.S. 438, 445 (1962).

Dated: May 17, 2023
New York, New York

SO ORDERED.



GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE

¹ Walden pled guilty to nine counts of third-degree burglary, and the state court sentenced him to an aggregate term of six to twelve years of incarceration. (See Mem. Law Supp. Mot. Dismiss, ECF No. 26.)